

TOWN BOARD MEETING/WORKSHOP SEPTEMBER 13, 2016

A regular meeting of the Town Board was held on Tuesday, September 13, 2016, at 6:00 p.m. at the Kent Town Hall, 25 Sybil's Crossing, Town of Kent, New York, 10512.

Resolution #270 - Open Meeting- Adjourn to Executive Session

On a motion by Supervisor Fleming

Seconded by Councilwoman McGlasson

Resolved: The Town Board Meeting of September 13, 2016 opened and adjourned to executive session at 6:07p.m. to discuss the medical, financial credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person.

Motion carried unanimously

Resolution #271- Adjourn Executive Session

On a motion by Supervisor Fleming

Seconded by Councilwoman McGlasson

Resolved: Executive session adjourned at 7:01p.m.

Motion carried unanimously

Pledge of Allegiance- At 7:05 p.m. Supervisor Fleming called the Workshop Meeting to order with the Salute to the Flag.

Public Comment – There was none.

The Town Board Meeting was called to order with Roll Call at 8:50 p.m.

Supervisor Maureen Fleming – present

Councilman Paul Denbaum – present

Councilwoman Jaime McGlasson – present

Councilman Bill Huestis – present

Councilman Scott Chin – present

Also Present: Town Clerk Cappelli, Town Counsel Nancy Tagliafierro, member of the Lake Tibet Advisory Board, Co- Chairpersons and member of the Lake Carmel Advisory Committee Madigan, Wargas, and Weide and three residents.

Resolution #272 – Accept Erosion Control Bond & Escrow Fund TM# 8.-1-2

On a motion by Councilman Denbaum

Seconded by Supervisor Fleming

WHEREAS, the Planning Board, at their meeting held on August 5, 2016, approved Resolution #10 of Year 2016 recommending that the Town Board accept an Erosion Control Bond in the amount of \$1,400 and an Escrow Fund for an initial inspection fee in the amount of \$1,000 from the owners of a parcel of land located at Long Mountain Road, Kent, New York 10512, identified as Tax Map No. 8.-1-2 (the "Lot"), with regard to timber harvesting on the Lot; and

WHEREAS, the Town Board of the Town of Kent wishes to follow the recommendations of the Planning Board;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the recommendation of the Planning Board and approves the posting of an Erosion Control Bond in the amount of \$1,400 and the establishment of an Escrow Fund for an initial inspection fee in the amount of \$1,000 for the harvesting on the Lot.

Motion carried unanimously

Resolution #273- Accept Erosion Control Bond TM#33.20-1-16

On a motion by Councilman Denbaum

Seconded by Councilwoman McGlasson

WHEREAS, the Planning Board, at their meeting held on August 16, 2016, approved Resolution #11 of Year 2016 recommending that the Town Board accept an Erosion Control Bond in the amount of \$8,035.52 from the owners of a parcel of land located at Tibet Drive, Kent, New York, identified as Tax Map No. 33.20-1-16 (the "Lot"), with regard to the construction of a single family residence; and

WHEREAS, the Town Board of the Town of Kent wishes to follow the recommendations of the Planning Board;

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NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the recommendation of the Planning Board and approves the posting of an Erosion Control Bond in the amount of \$8,035.52 for the construction on the Lot.

Motion carried unanimously

Resolution #274- Approve 207-C Benefits

On a motion Councilman Denbaum

Seconded by Councilwoman McGlasson

WHEREAS, an officer of the Town of Kent Police Department identified as Officer A, has applied to the Town for benefits pursuant to General Municipal Law §207-c; and

WHEREAS, the Town Board believes that Officer A, has demonstrated that he should be entitled General Municipal Law §207-c status; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes General Municipal Law §207-c status for Officer A.

BE IT FURTHER RESOLVED, that the Town Board of the Town of Kent hereby authorizes the Supervisor to execute any and all documents necessary to give effect to this resolution.

Motion carried unanimously

Resolution #275- To Hire Start Smart Soccer Assistants

On a motion by Councilman Denbaum

Seconded by Supervisor Fleming, and Councilman Chin

WHEREAS, the Town of Kent is seeking to fill seasonal positions as Assistants in the Start Smart Soccer program; and

WHEREAS, the Director of Recreation has recommended hiring Reese Wong, Mark Donelan, and Elaina Nacinovich to fill the positions; and

WHEREAS, the Town Board believes it to be in the best interests of the Town to accept the Director's recommendations;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the hiring of Reese Wong, Mark Donelan, and Elaina Nacinovich as Smart Start Assistants at a rate of \$140 for the season; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Kent hereby authorizes the Supervisor to execute any and all documents necessary to give effect to this resolution.

Motion carried unanimously

Resolution #276- Authorization for Removal of Containers Huestis Park

On a motion Councilwoman McGlasson

Seconded by Councilman Chin

WHEREAS, the Town of Kent Director of Recreation and Parks, Louis Fernandez, has recommended that two large metal containers, which are not useable and create an eyesore, should be removed from Huestis Park; and

WHEREAS, Municipal Repairs Service Manager Nick Mancuso has explored all options for removal of said containers and advises that they have no scrap value and are of no use, and therefore the best option for removal has been submitted by LaGrange Transport, at a total cost of \$1,500, and;

WHEREAS, the Town Board wishes to authorize the removal of said metal containers;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent, authorizes the removal of two large metal containers from Huestis Park by LaGrange Transport for a cost not to exceed \$1,500.

Motion carried unanimously

Resolution #277 – Authorize Repair of Sanitation Truck

On a motion by Councilwoman McGlasson

Seconded by Councilman Chin

WHEREAS, the Town Board of the Town of Kent has received a request dated August 25, 2016 from Eugene Livulpi, Crew Chief of the Town Sanitation Department, for authorization to repair a Sanitation Truck Number 17 (the "Truck"), copy of which request is annexed hereto and incorporated herein by reference; and

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WHEREAS, the Town Board also received a letter dated August 26, 2016 from Nicholas Mancuso, Service Manager of Municipal Repairs, stating that Municipal Repairs is not equipped to perform the repairs necessary to repair the Truck, and recommending the repair of the Truck by replacement of certain parts supplied by the manufacturer of the Truck, Mack Trucks, a copy of which letter is annexed hereto and incorporated herein by reference; and

WHEREAS, according to Mr. Mancuso, Craig Zottola Inc. is the only area service provider capable of performing the necessary repairs; and

WHEREAS, the Town Board has determined that there is a need to repair the Truck; and

WHEREAS, the Town Board has been provided with a proposal for the parts necessary to repair the Truck from the manufacturer Mid-Hudson Mack Service in the amount of \$16,802.49 and a proposal by Craig Zottola Inc. to provide the labor to repair the Truck in the amount of \$6,500, copies of said proposals are annexed hereto and incorporated herein by reference; and

WHEREAS, consistent with the General Municipal Law and the Town Procurement policy, services requiring special or technical skill, training or expertise do not require the solicitation of alternate proposals; and

WHEREAS, in accordance with the Town's Procurement Policy and the General Municipal Law, the Town Board wishes to authorize the expenditure of funds to repair the Truck in an amount not to exceed \$23,302.49;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes and approves the expenditure of funds to repair the Truck in an amount not to exceed \$23,302.49;

BE IT FURTHER RESOLVED, that the Town Board of the Town of Kent hereby authorizes and directs the Supervisor to execute any and all documents necessary to give effect to this Resolution. Motion carried unanimously

Resolution #278- Authorization to Sell Vehicles for Scrap Metal Value

On a motion by Councilwoman McGlasson

Seconded by Supervisor Fleming

WHEREAS, the Town of Kent Municipal Repairs Service Manager has recommended that the following vehicles, which have reached the end of their service life, be offered for sale for their scrap metal value:

2003 Ford Crown Vic	VIN	2FAFP71W43X140534
2004 Chevy Impala	VIN	2G1WF52KX49273052
2005 Chevy Tahoe	VIN	1GNEK13V25R251027
2010 Chevy Impala	VIN	2G1WD5EM5A1171431
1984 Chevy K30 Pick Up	VIN	1GCGD34J1FF338665
1993 Ford Crew Cab	VIN	2FTJW35H7PCA97140

(the "Vehicles"), and;

WHEREAS, the Town Board wishes to authorize Municipal Repairs to offer the Vehicles for sale in exchange for their scrap metal value;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent, authorizes the Town of Kent Municipal Repairs to sell the Vehicles for their scrap metal value. Motion carried unanimously

Resolution #279 – Kent Historical Society Operating Permit

On a motion by Councilman Chin

Seconded by Councilwoman McGlasson

WHEREAS, pursuant to Chapter 58 of the Code of the Town of Kent, no temporary sales event may be conducted in the Town of Kent without first applying for a permit from the Town Board; and

WHEREAS, Kent Historical Society has submitted an application to conduct a temporary sales event in the form of a tag sale and bake sale at its location at 1374 Route 52, Carmel, New York on October 8, 2016 and proposes a rain date of October 9, 2016; and

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WHEREAS, the Town Board has reviewed the Application and supporting documentation and finds the Application to comply with the requirements of the Town Code of the Town of Kent in all respects; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the issuance of an operating permit to Kent Historical Society to conduct a tag sale and bake sale at its location at 1374 Route 52 on October 8, 2016 with a rain date of October 9, 2016.
Motion carried unanimously

Resolution #280- Authorizing Correction of Violation, Acceptance of Proposal & Charge to Property Owner

On a motion by Councilman Chin

Seconded by Councilwoman McGlasson

WHEREAS, the Code Enforcement Officer of the Town of Kent issued an Order to Remedy a Violation directing the owners to remove all overgrowth of grass, weed and brush from the exterior area of 35 Woodland Drive identified as Tax Map # 33.34-2-20 (the "Property"); and

WHEREAS, the Order to Remedy required the owner of the Property to remove rubbish and debris from the exterior area of the Property or submit a written request to the Code Enforcement Officer for a hearing to discuss remedial action to abate said violation within ten days; and

WHEREAS, more than ten days have elapsed since the service of the Order to Remedy and the owner of the Property has failed to correct the violations or submit a written request to the Code Enforcement Officer to discuss remedial action to abate the violation; and

WHEREAS, pursuant to Chapter 55A of the Town Code of the Town of Kent regarding "Property Maintenance", upon the failure, neglect or refusal of any owner to comply, the Building Inspector is authorized to cause such violation to be corrected subject to the approval of the Town Board; and

WHEREAS, the Town Board wishes to authorize the Code Enforcement Officer to immediately correct the violations at the Property and the costs of such correction shall be charged to the property owner;

WHEREAS, consistent with the Town's Procurement Policy, the Town of Kent requested written proposals from contractors to correct the violation on the Property and received only one quote in response, a copy of which is annexed hereto and incorporated by reference; and

WHEREAS, JB Affordable Care Inc. has submitted the lowest proposal to clear the Property at a cost of \$125; and

WHEREAS, the Town Board of the Town of Kent wishes to accept the proposal submitted by JB Affordable Care Inc. in the amount of \$125;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the proposal of JB Affordable Care Inc. for the correction of the violation on the Property; and

FURTHER RESOLVED, that the actual cost of the correction of the violations, plus the accrued legal rate of interest per annum from the date of completion of the work, if not paid by the property owner, shall be charged to each property owner by the Town in accordance with Chapter 55A-12(B).
Motion carried unanimously

Resolution #281- Authorizing Town Clerk to Advertise for Planning Board Member

On a motion by Councilman Chin

Seconded by Supervisor Fleming

WHEREAS, the Town of Kent is seeking to fill a vacancy on the Planning Board effective January 1, 2017; and

WHEREAS, the Town of Kent wishes to advertise to fill said vacancy by a resident of the Town of Kent; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes its Town Clerk, Yolanda D. Cappelli, to advertise to fill the vacancy on the Planning Board for January 1, 2017.

Motion carried unanimously

Resolution #282 – Appoint Deputy Receiver of Taxes

On a motion by Councilman Chin

Seconded by Supervisor Fleming

WHEREAS, the Town of Kent Receiver of Taxes is authorized to appoint a Deputy Tax Receiver pursuant to Town Law; and

WHEREAS, the Receiver of Taxes has appointed Arleen Larzelere as Deputy Tax Receiver; and

WHEREAS, the Town of Kent wishes to confirm the appointment of Arleen Larzelere as Deputy Tax Receiver, subject to the receipt and review of an acceptable background check;

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NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby confirms the appointment of Arleen Larzelere as Deputy Tax Receiver, subject to receipt of an acceptable background check.

Motion carried unanimously

Resolution #283 - Approve Vouchers & Claims

On a motion by Councilman Huestis

Seconded by Supervisor Fleming

Resolved: All Vouchers #200138940 - #200139104 and claims submitted by:

1. City Carting	\$5,342.06	Lake Carmel Garbage
2. Cornerstone Associates	\$3,125.00	Stormwater
3. Heritagenergy	\$3,133.08	Diesel
4. Hogan & Rossi	\$5,416.63	Legal Services
5. Limnology Info & Freshwater Eco.	\$21,950.00	Lake Carmel Beaches
6. Motor	\$2,500.00	Equipment Scanner
7. NYCOMCO	\$2,622.00	2 Way Radios: Police
8. NYSEG	\$2,715.86	Electric: Police Station
9. PCSB Bank	\$57,919.67	Loan: Highway
10. Pristine Waters	\$15,000.00	Harvesting Lake Tibet
11. Purchase Power	\$2,000.00	Postage
12. Royal Carting	\$5,173.30	Recycling Garbage
13. Spain Agency	\$72,090.73	Insurance Installment
14. State Comptroller	\$24,974.00	Court Fines & Fees
15. Town of Kent Municipal Repairs	\$2,413.46	Chargebacks: Recreation
	\$3,027.09	Chargebacks: Sanitation
	\$12,207.62	Chargebacks: Highway

In the amount of \$239,947.82 may be paid.

Motion carried unanimously

Public Comment – There was none

Resolution #284 – Adjournment

On a motion by Councilman Huestis

Seconded by Supervisor Fleming

Resolved: The Town Board meeting of September 13, 2016 adjourned at 9:05 p.m.

Motion carried unanimously

Respectfully submitted,

Yolanda D. Cappelli
Town Clerk